

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION**

**CLERK'S OFFICE U.S. DIST. COURT
AT ROANOKE, VA**

JAN 30 2014

JULIA C. DUPLEX CLERK
BY: DEPUTY CLERK

In accordance with the accompanying Memorandum Opinion entered this day, it is
hereby

ORDERED and ADJUDGED

that Petitioner's motion to stay is **DENIED**; Respondent's motion to dismiss is **GRANTED**; the petition for a writ of habeas corpus, pursuant to 28 U.S.C. § 2254, is **DISMISSED**; all pending motions are **DENIED as moot**; a certificate of appealability is **DENIED**; and the action is **STRICKEN** from the active docket of the court.

The Clerk is directed to send a copy of this Order and the accompanying Memorandum Opinion to the parties.

ENTER: This 30 day of January, 2014.

1st Michael F. Urbanski

United States District Judge